## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REISSUE APPLICATION

OF:

PEES ET AL

JAN 2 4 2005

SERIAL No.

5127

GROUP ART UNIT:

CONFIRMATION No.:

1624

FILED:

AUGUST 20, 2003 EXAMINER:

S. B. PATEL

For:

FUNGUCUDAL TRIFLUOROMETHYLALKYLAMINOTRIAZOLOPYRIMIDINES

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Alexandria, Va 22313-1450, on:

January 20, 2005 Date of Deposit Sabine Berg Person Making Deposit 5Beg Signature January 20, 2005

Date of Signature

Honorable Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## REPLY UNDER 37 C.F.R. §1.111

Sir:

In reply to the Office action of July 20, 2004, it is respectfully requested that the following and the attached be entered and considered for further prosecution of the above-identified application:

## REMARKS

Claims 1 to 6 are currently pending in this case.

The Examiner rejected Claims 1 to 6 as being based on a defective reissue oath giving the following five reasons:

- (1) The Examiner noted that the statement under 37 CFR §3.73(b) failed to indicate the date of execution. Applicants herewith submit a supplemental statement which is newly executed giving the date of execution.
- (2) The Examiner also noted that the assignee's Declaration failed to